

REMARKS

Amendments

Applicants have amended independent claims 1 and 16 to specify that when is the hydrophilic component (b)(i) i.e. the monomer or an oligomer of an oxyalkylene group containing 2 or more carbon atoms or derivatives thereof, the linker is a covalent bond directly between the hydrophilic component and the lipophilic component

Support for this amendment is found on page 12, lines 13-15. The specific text states:

“In one embodiment of the invention the linker is a covalent bond directly between the hydrophilic component and the lipophilic component”

35 U.S.C. 102 and 35 U.S.C. 103

The Examiner has rejected claims 1-20 as being unpatentable under 35 U.S.C. 102(a) in view of Huffer et al. (WO03/029309 A2). Specifically claims 1-15 lack novelty because Huffer discloses a compound within the scope of claim 1 of Applicant's claimed invention. Furthermore, claims 16-20 lack novelty over Huffer because a method to prepare a compound within the scope of claim 1 of Applicant's claimed invention is disclosed.

The Examiner is of the position that Huffer discloses an amphiphilic compound comprising a lipophilic part a hydrophilic part and a linker which links both parts through succinic acid. The lipophilic part is formed from a polyisobutylene with a number average molecular weight of 300 to 10,000; the hydrophiphilic part is from polyethylene glycol; and the compound can be dispersed in at least one solvent. Further, Huffer discloses a method of making said compound. Applicants respectfully traverse.

Huffer discloses a compound derived from a polyisobutylene with a number average molecular weight of 300 to 10,000, a succinic acid and polyethylene glycol. In contrast, Applicant's claimed invention comprises an amphiphilic compound derived from a lipophilic component, a hydrophilic component and a linker as defined in claims 1 and 16. Specifically, in the present invention when the hydrophilic component is (b)(i) i.e. a monomer or an oligomer of an oxyalkylene group containing 2 or more carbon atoms or derivatives thereof, the amphiphilic compound does not have succinic acid as a linker. Applicant's claimed invention requires (b)(i) to be bonded directly to the lipophilic component through a covalent

bond. Huffer does not disclose a compound containing a lipophilic component bonded directly to a hydrophilic component without the requirement of a succinic acid.

Furthermore, with regard to b(ii) to (b)(vi) of Applicant's claimed Markush group defining the hydrophilic component, Huffer does not teach, suggest or otherwise disclose any of them.

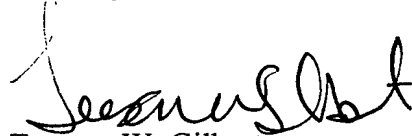
Applicants submit that in view of the amendment submitted herein, the present invention meets the requirements of 35 U.S.C. 102(a). Hence, Applicants request the Examiner to remove the 35 U.S.C. 102 rejection.

Applicants submit that the present invention is non-obvious over Huffer. Huffer discloses a compound derived from a polyisobutylene with a number average molecular weight of 300 to 10,000, a succinic acid and polyethylene glycol. In contrast, Applicant's claimed invention is an amphiphilic compound derived from a lipophilic component, a linker and a hydrophilic component as defined in claims 1 and 16. In contrast, Huffer does not teach suggest or otherwise disclose a compound derived from a lipophilic component and a hydrophilic component as defined in the present invention. Therefore, Applicants submit that the present invention is non-obvious in view of the teaching of Huffer.

Applicants believe that no fee is required for the filing of this document. However, if any fees are due, the Commissioner is authorised to charge such fee to our Deposit Account No. 12-2275. A duplicate copy of this document is submitted for such purposes.

Respectfully submitted,

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